

to have sustained, after taking into consideration the benefits, if any, to the land by its increased usefulness and value by reason of the building of such road or part thereof, or change in any road.

SEC. 12. That all persons who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by fine or imprisonment, or both, in the discretion of the court. Violation of act a misdemeanor.  
Punishment.

SEC. 13. That this act shall not apply to any county except McDowell, nor to Marion or Crooked Creek townships, in said county of McDowell. Application of act.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 2d day of March, A. D. 1909.

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#### CHAPTER 426.

#### AN ACT TO AMEND SECTION 4, CHAPTER 969, PUBLIC LAWS OF 1907.

*The General Assembly of North Carolina do enact:*

SECTION 1. That section four, chapter nine hundred and sixty-nine, Public Laws of one thousand nine hundred and seven be amended as follows: Strike out all of said section after the word "consumption," in line fifteen, and insert in lieu thereof the following: "*Provided further*, that coon oysters may be taken from September first to May first of each year upon the condition that no instrument or implement shall be used in the taking of said coon oysters before November first and after April first.

*Proviso: taking of coon oysters.*

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 2d day of March, A. D. 1909.

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#### CHAPTER 427.

#### AN ACT TO CHANGE THE JURISDICTION OF THE OCTOBER TERM OF THE SUPERIOR COURT OF UNION COUNTY, NORTH CAROLINA.

*The General Assembly of North Carolina do enact:*

SECTION 1. That section one thousand five hundred and six, chapter twenty-eight, page four hundred and fifty-one of the Revisal of one thousand nine hundred and five of North Carolina, be and the same is hereby amended by striking out at the